

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 2:07cr35-P-B**

**GEORGE LEE GILLIAM, JR.**

**ORDER**

This cause is before the Court on defendant Gilliam's Motion for Continuance [14-1]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for April 23, 2007. Counsel for defendant Gilliam seeks a continuance based on conflicting settings in other matters, including a prior trial setting in state court the week of April 23<sup>rd</sup>. This is the defendant's first motion for continuance; upon inquiry, the Court is advised that the government has no objection to the requested continuance. Based on the foregoing, the Court is of the opinion that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from April 23, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to ensure the availability of defense counsel at the trial of this matter. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The Motion for Continuance [14-1] is GRANTED;
2. That the trial of this matter is continued until Monday, June 4, 2007 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from April 23, 2006 until June 4, 2007 is excluded as set out above;
4. That the deadline for filing pretrial motions is May 14, 2007;
5. That the deadline for submitting a plea agreement is May 21, 2007.

SO ORDERED, this the 21<sup>st</sup> day of March, 2007.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE